

Adopted	Rejected
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## COMMITTEE REPORT

YES:	9
NO:	1

### MR. SPEAKER:

*Your Committee on **Elections and Apportionment**, to which was referred Senate Bill 395, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1       Page 1, between the enacting clause and line 1, begin a new
- 2       paragraph and insert:
- 3       "SECTION 1. IC 3-8-2-7, AS AMENDED BY P.L.202-1999,
- 4       SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5       JULY 1, 2001]: Sec. 7. (a) The declaration of each candidate required
- 6       by this chapter must be signed before a person authorized to administer
- 7       oaths and contain the following information:
- 8       (1) The candidate's name, printed or typewritten as:
- 9       (A) the candidate wants the candidate's name to appear on the
- 10       ballot; and
- 11       (B) the candidate's name is permitted to appear on the ballot
- 12       under IC 3-5-7.
- 13       (2) A statement that the candidate is a registered voter and the
- 14       location of the candidate's precinct and township (or ward and
- 15       city or town), county, and state.
- 16       (3) The candidate's complete residence address, and if the

1 candidate's mailing address is different from the residence  
2 address, the mailing address.

3 (4) A statement of the candidate's party affiliation. **For purposes**  
4 **of this subdivision, a candidate is considered to be affiliated**  
5 **with a political party only if either of the following applies:**

6 (A) **The most recent primary election in which the**  
7 **candidate voted was a primary election held by the party**  
8 **with which the candidate claims affiliation.**

9 (B) **The county chairman of:**

10 (i) **the political party with which the candidate claims**  
11 **affiliation; and**

12 (ii) **the county in which the candidate resides;**  
13 **certifies that the candidate is a member of the political**  
14 **party.**

15 (5) A statement that the candidate complies with all requirements  
16 under the laws of Indiana to be a candidate for the above named  
17 office, including any applicable residency requirements, and that  
18 the candidate is not ineligible to be a candidate due to a criminal  
19 conviction that would prohibit the candidate from serving in the  
20 office.

21 (6) A request that the candidate's name be placed on the official  
22 primary ballot of that party to be voted on, the office for which the  
23 candidate is declaring, and the date of the primary election.

24 (7) A statement that the candidate:

25 (A) is aware of the provisions of IC 3-9 regarding campaign  
26 finance and the reporting of campaign contributions and  
27 expenditures; and

28 (B) agrees to comply with the provisions of IC 3-9.

29 The candidate must separately sign the statement required by this  
30 subdivision.

31 (8) A statement as to whether the candidate has been a candidate  
32 for state or local office in a previous primary or general election  
33 and whether the candidate has filed all reports required by  
34 IC 3-9-5-10 for all previous candidacies.

35 (9) If the candidate is subject to IC 3-9-1-5, a statement that the  
36 candidate has filed a campaign finance statement of organization  
37 for the candidate's principal committee or is aware that the  
38 candidate may be required to file a campaign finance statement of

organization not later than noon seven (7) days after the final date to file the declaration of candidacy under section 11 of this chapter.

(10) The candidate's signature.

(b) The commission shall provide that the form of a declaration of candidacy includes the following information near the separate signature required by subsection (a)(7):

(1) The dates for filing campaign finance reports under IC 3-9.

(2) The penalties for late filing of campaign finance reports under IC 3-9.

(c) A declaration of candidacy must include a statement that the candidate requests the name on the candidate's voter registration record be the same as the name the candidate uses on the declaration of candidacy. If there is a difference between the name on the candidate's declaration of candidacy and the name on the candidate's voter registration record, the officer with whom the declaration of candidacy is filed shall forward the information to the voter registration officer of the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the candidate's voter registration record to be the same as the name on the candidate's declaration of candidacy."

Page 1, line 15, delete "A" and insert "The".

Page 5, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 7. IC 3-11-10-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 26. (a) As an alternative to voting by mail, a voter entitled to cast an absentee ballot may vote by absentee ballot before an absentee voter board:

(1) in the office of the circuit court clerk; **or**

**(2) at a satellite office established under section 26.3 of this chapter.**

(b) The voter must sign an application on the form prescribed by the commission under IC 3-11-4-5.1 before being permitted to vote. The application must be received by the circuit court clerk not later than the time prescribed by IC 3-11-4-3.

(c) The voter may vote before the board not more than twenty-nine (29) days nor later than noon on the day before election day.

(d) The absentee voter board in the office of the circuit court clerk must permit voters to cast absentee ballots under this section for at

1 least seven (7) hours on each of the two (2) Saturdays preceding  
2 election day.

3 (e) Notwithstanding subsection (d), in a county with a population of  
4 less than twenty thousand (20,000), the absentee voter board in the  
5 office of the circuit court clerk, with the approval of the county election  
6 board, may reduce the number of hours available to cast absentee  
7 ballots under this section to a minimum of four (4) hours on each of the  
8 two (2) Saturdays preceding election day.

9 SECTION 8. IC 3-11-10-26.3 IS ADDED TO THE INDIANA  
10 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2001]: **Sec. 26.3. (a) A county election board**  
12 **may adopt a resolution to authorize the circuit court clerk to**  
13 **establish satellite offices in the county where voters may cast**  
14 **absentee ballots before an absentee voter board.**

15 (b) To be adopted under this section, a resolution must be  
16 adopted by the unanimous vote of the board's entire membership.

17 (c) A resolution adopted under this section must do the  
18 following:

19 (1) State the locations of the satellite offices.

20 (2) State the hours at which absentee voting may occur at the  
21 satellite offices.

22 (d) The resolution may contain other provisions the board  
23 considers useful.

24 (e) If a resolution is adopted under this section, the procedure  
25 for casting an absentee ballot at a satellite office must, except as  
26 provided in this section, be substantially the same as the procedure  
27 for casting an absentee ballot in the office of the circuit court  
28 clerk."

29 Page 5, after line 20, begin a new paragraph and insert:

30 "SECTION 10. IC 36-1-8-10 IS AMENDED TO READ AS  
31 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) As used in this  
32 section, "board" means an administration, agency, authority, board,  
33 bureau, commission, committee, council, department, division,  
34 institution, office, service, or other similarly designated body of a  
35 political subdivision.

36 (b) Whenever a law or political subdivision's resolution requires that  
37 an appointment to a board be conditioned upon the political affiliation  
38 of the appointee, or that the membership of a board not exceed a stated

1 number of members from the same political party, at the time of an  
 2 appointment **either of the following must apply to** the appointee:  
 3 ~~must:~~

4 (1) ~~have voted in~~ The most recent primary election **in which the**  
 5 **appointee voted was a primary election** held by the party with  
 6 which the appointee claims affiliation. ~~or~~

7 (2) if The appointee ~~did not vote in the most recent primary~~  
 8 ~~election held by the party with which the appointee claims~~  
 9 ~~affiliation, he is~~ certified as a member of that party by the party's  
 10 county chairman for the county in which the appointee resides.

11 (c) Notwithstanding any other law, if the term of an appointed  
 12 member of a board expires and the appointing authority does not make  
 13 an appointment to fill the vacancy, the member may continue to serve  
 14 on the board for only sixty (60) days after the expiration date of the  
 15 member's term."

16 Renumber all SECTIONS consecutively.

(Reference is to SB 395 as reprinted February 9, 2001.)

**and when so amended that said bill do pass.**

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Representative Kromkowski